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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/819,462 | 03/28/2001 | Carl Steven Baumann | END9 2000 0165 US1 | 3427 |

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| EXAMINER |
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KYLE, CHARLES R

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| ART UNIT | PAPER NUMBER |
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3624

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 09/819,462 | Applicant(s) BAUMANN ET AL. | |
| | Examiner Charles Kyle | Art Unit 3624 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,10-13,17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,10-13,17 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. They depend from Claim 9, directly or indirectly; Claim 9 is cancelled. For purpose of Examination, it is assumed that Applicants intend dependence from Claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 10, 12-13, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,507,826 *Maners* in view of US 6,928,411 *Fox et al.*

With respect to Claim 1, *Maners* discloses the invention substantially as claimed including in a method for approving and paying an invoice for commodities (Abstract), the steps of:

receiving a requisition from a requestor of commodities (Col. 2, lines 6-26);

marking said commodities upon said requisition as receivable commodities (inherent to commodities deemed to require invoice authorization for payment; associated receiving ticket requires recipient confirmation);

receiving said invoice for commodities from a vendor (Col. 8, lines 59-62);

generating from said invoice a notification to an authorizer that includes information needed pay the invoice and choices of authorizing or rejecting payment (Col. 8, line 63 to Col. 9, line 50);

for commodities marked as receivable, executing a positive confirmation process (Col. Col. 6, lines 6-20; Col. 8, line 63 to Col.9, line 52), including:

responsive to authorization by said authorizer, creating an automated receipt transaction file and entering said transaction file into a payment system (Col. 9, lines 38-44) within an enterprise resource planning system (Col. 3, line 59 to Col. 4, line 3 and Col. 6, line 21 to Col. 10, line 17); and

responsive to rejection by said requestor, creating an e-mail notification to accounts payable for returning said invoice to said vendor (Col. 6, lines 38-67; Col. 9, lines 44-52 and Col. 8, lines 21-29);

for commodities marked as non-receivable, executing a negative confirmation process (Col. 5, lines 40-58).

Maners further discloses the use of buttons to select among alternatives (Figs. 4-9) and alternative selection between authorizing (approved) and rejecting (refused) invoices (Fig. 3). *Maners* does not specifically disclose that a button is used to select between these alternatives. It

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would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Maners* to use a selection button to authorize or reject an invoice because this would provide a familiar and easily used interface element for an authorizer to indicate such a choice.

Maners further discloses positive and negative “processing”; the “processing” is directly related to positive or negative approvals of invoices for purchased commodities, as cited. At best, Applicant might argue that a “marking” is not disclosed. Official Notice is taken that such marking is well known for positive confirmations in accounting. For example, it is customary for businesses to identify invoices above a certain dollar amount for review, and to allow low dollar invoices to be paid without review. Applicant admits this in “Background Art” of the Specification. Similarly, it is proper audit practice to exclude expense items below designated value from audit review. Exclusion of low value amounts is done to save processing/auditing costs; positive confirmation of select transactions reduces accounting fraud or errors. The Examiner makes these observations having worked professionally as an accountant for nine years. It would have been obvious to one of ordinary skill in that art at the time of the invention to specifically modify *Maners* to “mark” orders for positive and negative confirmation to “separate the wheat” (receivable transactions requiring positive confirmation from the “chaff” (non-receivable transactions requiring negative confirmation).

Applicant has amended the Claims to recite limitations of a three-way match among invoice, purchase order and received goods. *Maners* does not specifically disclose this limitation. *Fox* discloses this limitation at Abstract, Figs. 1-2, Objects and Summary of the Invention and Col. 2, line 66 to Col. 4, line 59. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Maners* to include the three way matching

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disclosed by *Fox* because this would have assured that goods ordered were indeed delivered per purchase order and approved by recipient.

Concerning Claim 10, *Maners* does not specifically disclose scheduled sending of payment acceptances to a backend procurement system. Official Notice is taken that it was old and well known to schedule financial data transfers for regular transmission. For example, batch processing was a familiar way to transfer data. It would have been obvious to one of ordinary skill in the art at the time of the invention to perform such data transfer in *Maners* because this would provide timely, predictable workloads for the system. As to the front-end and back-end descriptions of systems, they are not claimed in level of detail so as to clearly demark them.

With respect to Claim 12, *Maners* does not specifically disclose notification of a confirmation notice at login. Official Notice is taken that it was old and well known to provide important information to a user upon first access to a data system. For example, the notification "You've got mail!" was used to draw a user's attention to new incoming e-mail. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Maners* to include such notification upon login because this would provide timely notification of a user of important information regarding payment authorization.

Concerning Claim 13, see the discussion of Claims 1 and 10.

With respect to Claim 17, see the discussion of Claim 1 and *Maners* further discloses a program storage device embodying instructions to perform the recited steps at Fig. 2, ele. 202 and related text.

With respect to Claim 19, see the discussion of Claims 1 and 17.

Claims 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,507,826 *Maners* in view of US 6,928,411 *Fox et al* and further in view of US 5,970,475 *Barnes et al*.

Concerning Claim 11, see the discussion of Claim 10. *Maners* does not specifically disclose posting receipts for which payment is accepted. *Barnes* discloses posting as receipts items for which payment is accepted at Col. 23, lines 36-43. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Maners* to include the posting of accepted payments of *Barnes* because this would facilitate completion of payment processing.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

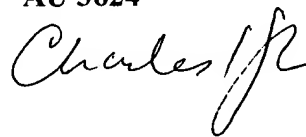
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kyle whose telephone number is (571) 272-6746. The examiner can normally be reached on 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

crk
March 22, 2006

Primary Examiner
Charles Kyle
AU 3624

A handwritten signature in cursive script, appearing to read "Charles Kyle", written in black ink.